

# IDAHO PLUMBING BOARD MEETING

**Friday – April 11, 2008 – 9:00 A.M.**

**Division of Building Safety  
Hampton Inn Hotel  
2500 Channing Way, Idaho Falls, ID 83404**

*NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The meeting was called to order by Chairman Ray Coon at 9:00 a.m. on Friday, April 11, 2008.

## **Board Members:**

Ray Coon, Chairman  
Milford Terrell  
Gordon Smythe  
Ronald Loveland

## **DBS Staff Members:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Roger Gabel, Deputy Attorney General  
Carl Lohrengel, Plumbing/HVAC Bureau Chief  
Kirk Weiskircher, Financial Specialist, Principal  
Al Caine, Licensing & Compliance Manager  
Bill Hatch, Public Information Officer  
Brandee Pasborg, Office Specialist 2  
Renee Bryant, Administrative Assistant 2  
Chris Critser, Plumbing/HVAC Inspector Supervisor  
Chris Jensen, Consultation and Outreach Advisor  
Adam Bowcutt, Plumbing/HVAC Inspector  
Kent Spencer Plumbing/HVAC Inspector

Kassy Sheppard, Sales Manager and Kirk Hanson, Manager of the Hampton Inn, apologized for the April 10<sup>th</sup> reservation faux pas.

## ◆ **Open Forum**

A new sign-up sheet is available to anyone wanting to discuss or speak on a topic that is not on the agenda.

Jerry Peterson addressed the following: License/Registration Duplications (municipalities/ cities, as well as the state requiring licenses/registrations), Water Conditioner License (rework proposal) and Code Process (industry input).

## ◆ **Approval of April 11, 2008 Agenda**

Ray Coon moved to accept the Agenda as written.

## ◆ **Approval of February 8, 2008 Board Meeting Minutes**

Ray Coon asked the minutes reflect the following correction: In the first sentence on page two, change the Board meeting month from “May” to “April”.

IPEX – IPEX was to supply the percentage of failed pipes sold by them, the process in which they rectified those issues and the number of hydronic/radiant applications sold in Idaho. To date, neither the Agency nor the Board have received the requested information.

**ACTION:** Roger Gabel to create a letter, for Kelly Pearce's signature, encouraging IPEX to submit the requested information to the Board.

IDAPA 07.02.05 – Residential Journeyman License - Carl Lohrengel presented the proposed legislation to several IAPMO Chapter meetings. Input from the industry was not favorable. Milford Terrell reiterated the Board has the final decision on approving or denying proposed legislation.

**ACTION:** Carl Lohrengel to continue to present the proposed legislation to the Board meetings.

**MOTION:** Milford Terrell made a motion to approve the February 8, 2008 minutes with corrections. Ron Loveland seconded. All in favor, motion carried.

◆ **Financial Report**

Kirk Weiskircher reviewed the newly formatted financial report and graphs. The budget/ projections for the remaining 2008 fiscal year are close to the Division's 2004 revenues.

The destination resort economy is thriving in parts of Northern and Eastern Idaho. However, the remainder of the State's construction economy is significantly down from previous years.

The Division estimates expending 16% of the Bureau's cash reserve by the end of this year.

The Joint Finance Committee is examining the Division's current vacant positions and zero based budget; which the Governor has imposed upon all state agencies.

The Division, with the Board's approval, would like to initiate the raise program, as decreed by the Governor, one month prior to the implementation date of July 1.

◆ **Exam Summary Report**

The overall pass rate is 73 percent on the journeyman exam and 39 percent on the contractor exam. Typically the business and law questions on the contractor exam have had the lowest performance.

◆ **Notice of Violations/Compliance Issues**

Due to the diligent efforts of the Division's outreach advisors and inspectors this past year, Notice of Violations and Civil Penalty activities are down considerably.

**ACTION:** The violation code legend to be included in all future board packets.

◆ **Request for Administrative Appeals Hearing**

No appeals at this time.

◆ **Contractor's License Number Displayed on Vehicles/Business Cards/Advertising (Draft Rule)**

At the Board's request, Al Caine created and presented two drafts; rule option and legislative option.

After a lengthy discussion, board members were not convinced this was the best solution in which to regulate unlicensed individuals. However, individuals from the industry are in support of this idea.

**ACTION:** Ray Coon requested this topic be addressed at the next three Board meetings.

◆ **Non-Licensed Contractors Soliciting Plumbing Services (Draft Rule)**

Al Caine read the rule option and legislative option drafts. The drafts clarify and define “advertising”. Ron Loveland suggested simplifying the law by stating it is illegal to advertise and engage in plumbing without a certificate of competency.

**MOTION:** Milford Terrell made a motion that this be the first reading on items seven and eight and the Board continues their dialog at the next three Board meetings. Ron Loveland seconded. All in favor, motion carried.

◆ **Penalties and Hearing Procedures**

A PowerPoint presentation on the history and procedures of the Plumbing, Electrical and HVAC Bureau’s Notice of Violations/Civil Penalties was presented by Al Caine.

**ACTION:** The Bureau to present this PowerPoint presentation to future Board meetings.

◆ **Apprentice Curriculum Update**

BSU continues to meet with the industry; receiving their input as to what they would like in the curriculum. Industry related books and publishers are being investigated and reviewed. A May meeting has been scheduled with the state coordinators. BSU anticipate the first half of the first year to be available this fall.

◆ **Waterless Urinals**

A Kohler representative recommended not using urinal mints in their urinals as the mint disintegrates and pieces could get stuck in the strainer or cartridge.

**ACTION:** The Bureau to follow-up with agencies currently using waterless urinals, i.e., Bogus Basin and report to the Board the frequency of chemical changes and upkeep costs.

In May, IAPMO’s Technical Committee to meet and discuss a proposal to accept or reject waterless urinals in the 2009 code. The Committee’s decision will be addressed at the IAPMO Conference in September.

**ACTION:** Ron Lord, IAPMO, to inform the Board of the results of this topic after their September Conference.

**MOTION:** Ron Loveland made a motion that proposed legislation be prepared for serious consideration of seeking approval; with a first and second reading. Milford Terrell seconded. All in favor, motion carried.

◆ **Legislative Report**

HB 478 – Five Year Apprentice Registration – Due to objections, modifications were made. The changes were not considered and the bill died.

HB 481 – Redefining the Definition of a Farm Building – This bill was approved.

Appliance Specialty Water Treatment – This rule was rejected. The water treatment industry were opposed to the 18 month experience requirement. They would be willing to support the rule if the experience requirement was lessened.

Air Admittance Valve and Sidewall Venting – This rule was approved.

Plumbing Contractors Exempt from Civil Penalties – This rule was approved and is effective.

Change in Permit Fees – Residential new construction would be based off of square footage, the fee would change to an hourly charge of \$65.00 and the commercial/industrial fees would be lowered. This rule was approved and is effective. The industry will be notified of these changes and information will be included in the Division's newsletter.

**ACTION:** The Division's Public Information Officer to create a "Legislative Alert" on the Division's website. During the legislative sessions, this site would have the Division's current legislative activities, i.e., hearings, legislative meetings, etc.

◆ **Proposed Legislation**

Proposed legislation on continuing education was presented. For every three year license period, contractors and journeymen would be required to complete continuing education courses. Journeymen would require 16 hours; eight hours industry related topics and contractors would require 24 hours; four hours business related topics.

Also presented was a "working draft" of Title 54, Chapter 26 of Idaho Code; in which the Attorney General's office made "housekeeping" changes to the draft.

**ACTION:** Prior to the June 20, 2008 meeting, Carl Lohrengel to e-mail to the Board the surrounding states required continuing education hours.

**ACTION:** Ray Coon required the Division post the proposed legislation on the Board's website.

**ACTION:** Milford Terrell requested at the June 20, 2008 meeting, the Division distribute current draft legislation and draft rules to the audience.

**ACTION:** At the June 20, 2008 Board meeting, Carl Lohrengel to present legislation reflecting the three-year residential journeyman and waterless urinal language for the code adoption.

**MOTION:** Milford Terrell made a motion to table the 2008-2009 "Working Draft" Legislation and Rules until the June Board meeting. Gordon Smythe seconded. All in favor, motion carried.

◆ **Bureau Chief's Report**

IAPMO - Mr. Lohrengel is on the IAPMO Certification Committee. They are seeing new products complying with EPA's new water use standards.

ICC - Polypropylene piping has been accepted by ICC. To view ICC's ESR 613 report on Polypropylene pipes and fittings, go to ICC's website at: [www.iccsafe.org](http://www.iccsafe.org)

◆ **Administrator's Report**

CAS – The Division to begin testing their new computer system the middle of May. It is anticipated the system will be on-line by the middle to later part of August of this year.

**ACTION:** The Division to invite Ray Coon to participate in the testing process of the CAS System.

Newsletter – A detailed description on how to utilize the DBS website will be in the May newsletter.

Permits – The Agency has created a single two-sided form; replacing the 16 forms originally required to secure permits within the Division.

Fuel Efficient Vehicles – DBS is one of the lead agencies in state government to use fuel efficient vehicles.

♦ **New/Old Business**

**ACTION:** Milford Terrell requested a formal presentation on the Open Meeting Laws be presented to the Board after the appointment of new board members.

**ACTION:** For future meetings, Milford Terrell requested the Bureau Chief's Report and Administrator's Report be the first topics under "Informational Agenda".

**MOTION:** Milford Terrell made a motion to adjourn. Ron Loveland seconded. The meeting adjourned at 2:30 p.m.

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RAYMOND COON, CHAIRMAN  
PLUMBING BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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DATE

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